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FINANCING OF THE INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY AND 31 DECEMBER 1994

Report of the Fifth Committee (Part II)

Rapporteur: M. Peter MADDENS (Belgium)

I. INTRODUCTION

1. The previous recommendations made by the Fifth Committee to the General Assembly under agenda item 160 appear in the report of the Committee contained in document A/50/852.

2. The Fifth Committee considered the item further at its 53rd and 55th meetings, on 2 and 4 April 1996. Statements and observations made in the course of the consideration of the item are reflected in the relevant summary records (A/C.5/50/SR.53 and 55).

3. For its consideration of the item, the Committee had before it the reports of the Secretary-General on the financing of the International Tribunal for Rwanda (A/C.5/50/47 and A/C.5/50/54).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.5/50/L.36

4. At the 55th meeting, on 4 April, the Chairman of the Committee introduced a draft resolution (A/C.5/50/L.36).

5. At the same meeting, the Committee adopted draft resolution A/C.5/50/L.36 without a vote (see para. 6).

III. RECOMMENDATION OF THE FIFTH COMMITTEE

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

The General Assembly,

Having considered the reports of the Secretary-General on the financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, 1/

Recalling its resolution 50/213 of 23 December 1995, by which it appropriated to the Special Account for the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 an amount of 7,609,900 United States dollars gross (7,090,600 dollars net) for the period from 1 January to 31 March 1996, pending the submission to the General Assembly of the requirements of the International Tribunal for Rwanda for the full year 1996,

1. Decides to authorize the Secretary-General to enter into commitments for the continued operation of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 for the period from 1 April to 30 June 1996 up to the amount of 7,609,900 dollars gross (7,090,600 dollars net), pending a detailed report of the comments and recommendations of the Advisory Committee on Administrative and Budgetary Questions;

1/ A/C.5/50/47 and A/C.5/50/54.

2. Decides also, as an ad hoc and exceptional arrangement, that, notwithstanding the provisions of paragraph 12 of its resolution 49/20 B of 12 July 1995, Member States shall waive their respective shares in the credits arising from previous budgets of the United Nations Assistance Mission for Rwanda in the total amount of 3,804,950 dollars gross (3,545,300 dollars net) and hence accept an equivalent increase in the assessments for a future budget period of the Assistance Mission in the same amount, to be transferred to the Special Account for the International Tribunal for Rwanda from the Special Account for the United Nations Assistance Mission for Rwanda;

3. Decides further to apportion the amount of 3,804,950 dollars gross (3,545,300 dollars net) for the period from 1 April to 30 June 1996 among Member States in accordance with the scale of assessments for the year 1996;

4. Decides that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 3 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 259,650 dollars approved for the International Tribunal for Rwanda for the period from 1 April to 30 June 1996.